

MESSAGE NO: 8137201 MESSAGE DATE: 05/16/2008

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-891

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/24/2004 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR AN ANTIDUMPING SCOPE RULING ON HAND TRUCKS FROM CHINA FOR WELCOM'S MXC MAGNA CART WHICH IS NOT WITHIN THE SCOPE) (A-570-891)

MESSAGE NO: 8137201

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CATEGORY: ADA

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REFERENCE:

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CASES: A - 570 - 891

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PERIOD COVERED: 05 24 2004 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR AN ANTIDUMPING SCOPE RULING ON HAND TRUCKS FROM CHINA FOR WELCOM'S MXC MAGNA CART WHICH IS NOT WITHIN THE SCOPE) (A-570-891)

1. THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING ON 05/12/2008, THAT WELCOM'S MCX MAGNA CART IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-891).

2. THE COMMERCE DEPARTMENT DETERMINED THAT WELCOM'S MCX MAGNA CART IS A SMALLER AND LIGHTER MODEL OF WELCOM'S MAGNA CART, WHICH

THE DEPARTMENT DETERMINED TO BE OUTSIDE OF THE SCOPE OF THE ORDER IN 2004, AND THE RECTANGULAR SURFACE AREA OF THE MCX MAGNA CART'S RECTANGULAR TELESCOPING TUBE IS SMALLER THAN THE CIRCULAR SURFACE

AREA OF A 5/8 INCH DIAMETER CIRCULAR TUBE. THEREFORE, WELCOM'S MCX MAGNA CART IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PEOPLE'S REPUBLIC OF CHINA.

3. EFFECTIVE 05/12/2008, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 05/24/2004 OF WELCOM'S MCX MAGNA CART LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO WELCOM'S MCX MAGNA CART LISTED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF WELCOM'S MCX MAGNA CART ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 05/24/2004.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF HAND TRUCKS AND CERTAIN PARTS SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PEOPLE'S REPUBLIC OF CHINA.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O8: KGH).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

DAVID M.GENOVESE

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party